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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RE APPLICATION OF: ROBERT CUDINI

CONFIRMATION: 4085

SERIAL NO.: 10/584,276

GROUP ART UNIT: 2856

FILED: May 21, 2007

EXAMINER: A. T. Devito

FOR: Modular Measuring Device

ATTY. REFERENCE: CUDI3001/FJD

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS**

COMMISSIONER OF PATENTS

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated: **July 2, 2009**
of the Primary Examiner finally rejecting claims: **15 - 31**

The Appeal Fee is:

- ☒ enclosed ☒ \$540. ☐ \$270.
- ☐ not required (fee paid in prior appeal in this application).
- ☐ requested to be charged to **Deposit Account Number 02-0200**. A duplicate copy of this sheet is enclosed.
- ☐ Small Entity Status is claimed.
- ☒ The Commissioner is hereby authorized to charge any additional fees associated with this communication, including fees due under *37 CFR 1.16* and *37 CFR 1.17* or credit any overpayment to **Deposit Account Number 02-0200**. A duplicate copy of this sheet is enclosed.

23364

Customer Number

Phone: (703) 683-0500

Respectfully submitted,

DATE: Nov. 2, 2009

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Felix J. D'Ambrosio

Felix J. D'Ambrosio

Attorney for Applicant

Registration Number: 25,721